

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

1201 NORTH MARKET STREET
P.O. BOX 1347
WILMINGTON, DELAWARE 19899-1347

—
(302) 658-9200
(302) 658-3989 FAX

JEREMY A. TIGAN
(302) 351-9106
jtigan@morrisonichols.com

September 30, 2025

The Honorable Maryellen Noreika
United States District Court
for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801-3555

VIA ELECTRONIC FILING

Re: *Gilead Sciences, Inc. v. Lupin Ltd., et al.*, C.A. No. 22-615 (MN) (Consolidated)

Dear Judge Noreika:

The Proposed Joint Pretrial Order submitted by the parties on September 22, 2025, includes an order of proof for trial. D.I. 350 at 18. In light of the shortened trial day on Tuesday, October 7, 2025, and the need for certain witnesses to complete their testimony before the end of that day, the parties have agreed to adjust the order of proof as follows, if acceptable to the Court:

- A. Cipla will present its affirmative case on invalidity;
- B. Gilead will present its rebuttal case on invalidity and affirmative case on infringement; and
- C. Cipla will present its rebuttal case on infringement and its sur-rebuttal case on secondary considerations.

The parties have also agreed that Cipla will present its opening statement first, followed by Gilead.

Respectfully,

/s/ Jeremy A. Tigan

Jeremy A. Tigan (#5239)

The Honorable Maryellen Noreika

September 30, 2025

Page 2

JAT:ds

cc: Clerk of the Court (via hand delivery)
All Counsel of Record (via CM/ECF and e-mail)